

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
9:00 A.M., June 13, 2006

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the June 6, 2006 regular meeting

AWARDS AND PROCLAMATIONS

- Recognition of Sister Cities Musical Ambassadors.

PUBLIC AGENDA

- 1. Rosalie Bradley-Wichita Independent Neighborhoods Vicious Dog Study.

CONSENT AGENDA

- 2. Report of the Board of Bids and Contracts Dated June 12, 2006.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

3. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
Kevin Raven	Taco Tico*	2051 South Seneca
Kevin Raven	Taco Tico*	1118 West Douglas
Kevin Raven	Taco Tico*	929 North Broadway
Kevin Raven	Taco Tico*	1303 North Tyler
Kevin Raven	Taco Tico*	311 East Pawnee
Kevin Raven	Taco Tico*	3257 East Harry
Kevin Raven	Taco Tico *	1230 South Rock Road
Kevin Raven	Taco Tico*	603 East 47 th Street
Hunh Bui	Saigon Restaurant*	1103 West Broadway
Richard A. Diamond	Ty's Diner, Inc.*	928 West 2 nd Street

<u>Renewal</u>	<u>2006</u>	<u>(Consumption off Premises)</u>
Saeed Monsouri	Aria Enterprises LLC	12728 East Central
Edward J. Roitz	Fleming Convenience F190	233 South Maize Road
Mark Branham	Quik Trip #343	242 South Tyler
Mark Branham	Quik Trip #345	3020 South Meridian

<u>New Operator</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
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Kevin Raven	Taco Tico*	5120 East 21 st Street
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<u>New Operator</u>	<u>2006</u>	<u>(Consumption off Premises)</u>
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Morrie J. Soderberg	Lighthouse Properties	1550 North Waterfront Parkway
John M. Vo	Discount Cigarettes #2	3448 West Douglas

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

4. Preliminary Estimates:

- a) Water Distribution System to serve Casa Bella Addition - north of Pawnee, west of 127th Street East. (448-90112/735295/470966) Does not affect existing traffic. (District II) - \$162,000.00
- b) Lateral 39 Cowskin Interceptor Sewer to serve Highland Springs 3rd Addition - south of Central, west of 135th Street West. (468-83636/744183/480871) Does not affect existing traffic. (District V) - \$179,000.00
- c) Water Distribution System to serve Blue Sky Addition - north of Douglas, west of West Street. (448-90160/735309/470980) Does not affect existing traffic. (District IV) - \$30,000.00

(Item 4 continued)

- d) Jade Avenue from the north line of the plat, south to the north line of Sunflower Drive; Sunflower Drive from the west line of Jade Avenue west to the east line of Cedardale Avenue; Cedardale Avenue from the north line of the plat, south and east to the west line of Jade Avenue; Jade Avenue from the south line of Cedardale Avenue north to the south line of Sunflower Drive; Sidewalk on Jade Avenue to serve Clifton Cove Addition - south of 63rd Street South, west of Clifton. (472-84227/765993/490110) Does not affect existing traffic. (District III) - \$429,000.00
- e) Wichita Drainage Canal Phase 2 - along the Wichita Canal, south of K-15 and Grove, north to south of Douglas. (468-84119/660794/864409) Does not affect existing traffic. (Districts I, III) - \$138,950.00
- f) 2006 Contract Maintenance Asphalt Street Repairs & Natural Latex Modified Micro-Surfacing - west of Rock Road, south of 29th Street North. (472-84375/132719/) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II, III, IV) - \$231,999.80
- g) 2006 Contract Maintenance Ultrathin Asphalt Overlay - west of Rock Road, south of 21st Street North. (472-84378/132719/620447/) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II, III, VI) - \$378,000.00
- h) The cost of Façade Improvement Program at 504 E. Douglas in J.R. Mead's Addition on Douglas Avenue - east of Emporia. (472-83763/766004/491-005) (District VI) – Total Estimated Cost \$63,750.00.
- i) The cost of Auburn Hills to serve Auburn Hills 15th Addition - north of Kellogg, west of 135th Street West. (472-84146/765926/490-039) (District V) – Total Estimated Cost \$49,980.00.

RECOMMENDED ACTION: Receive and file.

5. Petitions for Public Improvements:

- a) Pave Streets in Fox Ridge Addition, north of 29th Street North, west of Tyler. (District V)
- b) Construct a Storm Water Drain in Whispering Lakes Estates Addition, south of Harry, west of 159th Street East. (District II)

RECOMMENDED ACTION: Approve petitions; adopt the Resolutions and authorize the necessary signatures.

6. Consideration of Street Closures/Uses.

- Automobilia Moonlight Car Show and Street Party, July 8, 2006, 4:00 p.m.-12:00 a.m.
(First Street, Broadway to Mosley. Second Street to Douglas, including Rock Island, Mead, St. Francis, Emporia and Topeka Streets in Old Town)
 - o July 8, 2006, 4:00 p.m. to 12:00 a.m.

RECOMMENDED ACTION: Approve the request subject to: Hiring of off-duty certified law enforcement officers as required; obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department and Certificate of Liability Insurance on file with the Community Events Coordinator.

7. Agreements/Contracts:

- a) Gypsum Creek Channel Improvements west of Hillside. (District III)-supplemental.
- b) Street Resurfacing Project on Kellogg from Webb Road to the east City Limits. (District II)
- c) Construction Engineering and Staking in Whispering Lakes Estates Addition, south of Harry, west of 159th Street East. (District II)-supplemental.
- d) Construction Engineering and Staking in Emerald Bay Estates Addition, west of West Street, north of 21st Street. (District V)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

8. Design Services Agreements:

- a) 9th Street and North West Outfall to the Arkansas River. (District VI)
- b) Dry Creek Channel Improvements between Lincoln and Orme. (District III)
- c) Gypsum Creek Channel Improvements between Rock Road and Eastern Avenue. (District II)
- d) Waterman, Arkansas River to Washington Improvements. (District I)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

9. Property Acquisitions:

- a) Partial Acquisition of land in the southeast corner of Maple Street and 151st Street West. (District V)
- b) Partial Acquisition of land for right-of-way in the 7800 block of West 37th Street North. (District V)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

10. Contracts and Agreements for May 2006.

RECOMMENDED ACTION: Receive and file.

11. Design Services for Chapin Park. (District III)

RECOMMENDED ACTION: Adopt the bonding resolution; authorize initiation of the project; authorize the hiring of design consultants and authorize the necessary signatures.

12. 2006 Federal Excess Liability Insurance Coverage.

RECOMMENDED ACTION: Receive, file and ratify the 2006 Federal Excess Liability Policy Insurance with AIG in the annual amount of \$200,173.

13. State Office Building Fund Budget Adjustment. (District VI)

RECOMMENDED ACTION: Approve the budget transfer.

14. Approve a Design/Build Project for Explosives Facility.

RECOMMENDED ACTION: Approve a Design/Build Project for explosives facility.

15. Sim Park Memorial. (District VI)

RECOMMENDED ACTION: Adopt the bonding resolution; authorize initiation of the project; authorize issuance of an RFP and authorize the necessary signatures.

16. Criminal Justice Law Enforcement Grant Program.

RECOMMENDED ACTION: Approve the grant application and authorize the necessary signatures.

17. Contingency Fund Use for Convention and Visitors Bureau.

RECOMMENDED ACTION: Approve the allocation from the contingency fund with the Convention and Tourism Bureau.

18. Sewage Treatment Plant 2-Contract.

RECOMMENDED ACTION: Approve the purchase of the UV replacement parts; approve Trojan Technologies as the sole source of supply and authorize the necessary signatures.

19. Creation of Chapter 3.11 to establish a process for permitting special events, amendments to Sections 9.04.030 and 9.04.190 regarding community events in city parks and amendments to Sections 10.04.130, regarding street usage to allow obstructions associated with approved community events.

RECOMMENDED ACTION: Place the ordinances on first reading and authorize the necessary signatures.

20. Prisoner Reentry Program Memorandum of Agreement.

(MOVED TO UNFINISHED BUSINESS, 21A.)

20a. Settlement of Claim.

RECOMMENDED ACTION: Authorize payment of \$32,500 as full settlement of all possible claims from the vehicle passenger arising out of the transactions, which are the subject of this claim.

20b. Settlement of Claim.

RECOMMENDED ACTION: Authorize payment of \$35,000 s as full settlement of all possible claims from the vehicle driver arising out of the transaction, which is the subject of this claim.

21. Second Reading Ordinances: (First read June 6, 2006)

a) Tax Exemption Request, Weaver Manufacturing, Inc. (District I)

An ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of Weaver Manufacturing, Inc., so exempted.

b) Child Passenger Safety Act Amendment, Section 11.38.370.

An Ordinance amending Section 11.38.370 of the Code of the City of Wichita, Kansas, pertaining to the Child Passenger Safety Act.

c). Maize and Westport Intersection Improvement. (District V)

An ordinance amending Ordinance No. 46-626 of the City of Wichita, Kansas declaring the Intersection of Maize Road at Westport (472-84244) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

d) Greenwich Road Improvement, between 26th and 29th Street North. (District II)

An Ordinance declaring Greenwich, between 26th Street North and 29th Street North (472-84415) to be a main trafficway within the city of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

RECOMMENDED ACTION: Adopt Ordinances.

UNFINISHED BUSINESS

21A. Prisoner Reentry Program Memorandum of Agreement.

RECOMMENDED ACTION: Approve the Memoranda of Agreement with the Kansas Department of Corrections (DOC) for delivery of services to offenders preparing for release from DOC facilities.

NEW BUSINESS

22. DR2005-32-Proposed Amendments to the Wichita-Sedgwick County Unified Zoning Code and Title 26 of the Code of the City of Wichita pertaining to Manufactured Home Parks.

In 2002, the cities of Wichita and Haysville and Sedgwick County adopted the South Wichita-Haysville Area Plan. Additionally, in 2004, the State Legislature passed legislation that pre-empted municipalities from licensing manufactured home installers.

RECOMMENDED ACTION: Adopt the proposed amendments to manufactured home park regulations and place the ordinances on first reading.

23. Amendments to Electrical Code, Title 19.

The State of Kansas has recently passed amendments to two existing statutes, effective on July 1, 2006, which requires the City's Electrical Code, Title 19 to be amended.

RECOMMENDED ACTION: Approve first reading of the ordinance amending Title 19 of the Code of the City of Wichita and authorize the necessary signatures.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

24. *VAC2006-00008-Request to vacate street right-of-way created by condemnation, generally located south of 25th Street North and west of Arkansas Avenue. (District VI)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

25. *VAC2006-00022-Request to vacate a platted setback, generally located on the north side of Kellogg Drive, midway between Dugan Road and Ridge Road. (District V)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

26. *A06-15R-Request by Rob Ramseyer and Jay Russell of R & R Realty to annex land generally located northwest of 53rd Street North and Meridian Avenue. (District VI)

RECOMMENDED ACTION: Approve the annexation request; place the ordinance on first reading and authorize the necessary signatures.

CITY COUNCIL

27. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

Adjournment

Workshop to follow